

REMARKS

The thorough examination of the present application evidenced by the Final Office Action of November 3, 2009 (the Final Action) is appreciated. By this Amendment, Claims 21 and 22 have been amended to provide clarification thereof. All claims are patentable over the cited art for at least the reasons presented in the following remarks. Accordingly, a Notice of Allowance is respectfully requested in due course.

Independent Claims 1 and 11 Are Patentable

The Final Action has rejected independent Claims 1 and 11 under 35 U.S.C. Sec. 103(a) as allegedly being unpatentable over U.S. Patent Pub.No. 2003/0037261 to Meffert et al. (Meffert) in view of European Pub.No. EP 1,016,972 to Nagai (Nagai). Claims 1 and 11, however, are patentable over the cited art for at least the reasons discussed below.

Claim 1, for example, recites a system for providing email communications, the system comprising:

- a memory;
- a processor coupled to the memory and configured to execute an e-mail client application, which includes:
 - message composition logic operable to present a write e-mail window including a message editor pane to a user and to compose an e-mail text message to at least one recipient responsive to accepting entry of text of a body of the e-mail text message in a text format into the message editor pane wherein entry of the text is accepted from the user;
 - write protect logic operable to protect the e-mail text message against subsequent alteration by the at least one recipient, wherein the write protect logic is configured to,
 - accept a user choice whether to write protect the e-mail text message,
 - responsive to the user choosing to write protect the e-mail text message, enable the write protect logic through conversion of a format of the text in the body of the e-mail text message from the text format to a picture format protected against subsequent alterations, and send the e-mail text message to the at least one recipient after conversion of the format of the text from the text format to the picture format protected against subsequent alterations, and
 - responsive to the user choosing not to write protect the e-mail text message, send the e-mail text message to the at least one recipient

in the text format without conversion to the picture format.

Accordingly, Claim 1 specifies that a user may choose whether to write protect an e-mail text message. In addition, Claim 1 specifies that the e-mail text message is sent in the (write protected) picture format responsive to the user choosing to write protect the e-mail text message, and that the e-mail text message is sent in the (unprotected) text format (without conversion to the picture format) responsive to the user choosing not to write protect the e-mail text message.

Meffert discusses "secured content delivery between a sender and a recipient in an electronic network using PKI-based encryption." Meffert, Abstract. The Final Action concedes that: "Meffert fails to teach converting the text into a picture format." Final Action, page 4. In support of the rejection of Claim 1, the Final Action states that:

Nagai teaches composing and email message and converting the message from text to an image [0034]. Nagai teaches the conversion takes place at the client prior to being sent to a recipient [0034]. It would have been obvious to one of ordinary skill in the art to use the graphical conversion of Nagai with the security of Meffert because it allows viewing without specific fonts.

Final Action, page 4.

Nagai discusses a "bottle mail system" (*see*, Nagai, page 6, line 40 to page 7, line 20) that enables "unpredictable communication" (*see*, Nagai, col. 16, line 58) with "no specified destination" (*see*, Nagai, Title) where a client "receives a mail selected at random among those stored in the mailbox 30" (*see*, Nagai, Abstract). Moreover, portions of Nagai cited by the Final Action state that:

[0034] A user who wants to write a mail may type in any character strings ... as he/she likes in a mail composition screen.... The input data are converted into image data of BMP format.... This data conversion into the BMP format is made so as to avoid possible errors in displaying text data....

[0036] Subsequently, a new mail is created based on the above converted image data....

Nagai, col. 8, lines 7-26. Nagai, however, fails to teach or suggest accepting a user choice whether to write protect an e-mail text message, much less sending the e-mail text message after conversion of text to a picture format responsive to the user choosing to write protect the

e-mail text message and sending the e-mail text message in the text format without conversion to the picture format responsive to the user choosing not to write protect the e-mail text message. As neither Meffert nor Nagai, taken alone or in combination, discloses or suggests accepting a user choice whether to write protect an e-mail text message in a picture format, the combination thereof fails to disclose or suggest all elements of Claim 1.

In addition, it would not be predictable to selectively combine elements of the diverse systems of Meffert and Nagai that are directed to substantially different and even opposite purposes. As noted above, Meffert discusses "secured content delivery between a sender and a recipient in an electronic network using PKI-based encryption." Meffert, Abstract. As further discussed in Meffert, "PKI is a ... standard that uses ... encryption and digital certificate to achieve secure Internet services" (Meffert, paragraph [0007]), and the sender or creator of content is permitted to "control the dissemination of that content even after it has been delivered to intended recipients" (Meffert, paragraph [0091]). In contrast, the "bottle mail system" of Nagai enables "unpredictable communication" (*see*, Nagai, col. 16, line 58) with "no specified destination" (*see*, Nagai, Title) where a client "receives a mail selected at random among those stored in the mailbox 30" (*see*, Nagai, Abstract). The unpredictable and random communications of Nagai with no specified destination are thus the opposite of the secured content delivery of Meffert with intended recipients. Accordingly, it is only hindsight knowledge of Claim 1 that may potentially compel someone to combine Meffert and Nagai.

The Final Action provides the following further rationale supporting the rejection of Claims 1 and 11:

the examiner does not rely Nagai to choose to protect an email. The examiner relies on Meffert to teach choosing to send an email in a protected mode. If the user in Meffert does not select the protected mode, the email is sent out as normal by hitting the send button [0083], Fig. 2A.

Applicant argues that it would be inappropriate to combine Meffert and Nagai, but both are in the art of email, and both are in the art of security, so they are of analogous arts. The examiner is merely replacing the encryption of Meffert with the image conversion of Nagai.

Final Action, page 2, underline added. Contrary to the assertion in the Final Action, however, Nagai's image conversion is not in the art of security, and in fact, Nagai's image conversion is

provided to increase (not decrease) access to content where e-mails are distributed randomly across different platforms.

Moreover, Meffert would not perform according to its intended purpose if Meffert's encryption were replaced with Nagai's image conversion. Briefly, Meffert's encryption is provided to restrict content dissemination (i.e., to provide "secured content delivery", Meffert, title), while Nagai's conversion to a standard data format for graphic files is provided for the opposite purpose "to avoid possible errors in displaying text data due to differences in platform" (Nagai, paragraph [0034]) for communications sent randomly with no specified destination. Stated in other words, Nagai's image conversion is provided to ensure access to the communication by anyone, while Meffert's encryption for secured content delivery is provided for the opposite purpose to restrict access. Accordingly, Meffert would fail to perform according to its intended purpose if Meffert were modified to replace Meffert's encryption with Nagai's image conversion.

For at least the reasons discussed above, Claim 1 is patentable over the cited art. In addition, Claim 11 is patentable for reasons similar to those discussed above with respect to Claim 1. Moreover, dependent Claims 3-10, 12-15, and 17-22 are patentable at least as per the patentability of Claims 1 and 11 from which they depend.

Claims 21 and 22 Are Separately Patentable

Claims 21 and 22 are patentable at least as per the patentability of Claims 1 and 11 from which they depend. Claims 21 and 22 are also separately patentable. For example, Claim 21 recites write protect logic configured to send a first e-mail text in a picture format and to send a second e-mail text message in a text format (without conversion to the picture format) responsive to different user choices. Neither Meffert nor Nagai, taken alone or in combination, teaches or suggests write protect logic providing user choice of a text or image format as recited in Claim 21. The combination of Meffert and Nagai also fails to disclose or suggest separate graphical protection and send buttons provided on write e-mail windows for respective e-mail text messages. Accordingly, Claims 21 and 22 are separately patentable.

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CONCLUSION

All pending claims in the present application are in condition for allowance for at least the reasons discussed above, and a Notice of Allowance is respectfully requested in due course. The Examiner is encouraged to contact the undersigned attorney by telephone should any additional issues need to be addressed.

Respectfully submitted,



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